



Patitioner's Docket No. 2550/185

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bruce K. Wachtmann

Application No.: 10/670,673

Group No.: 2814

Filed: 09/25/2003

Examiner: Pizarro Crespo

For: Method of Forming a Surface Micromachined MEMS Device

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

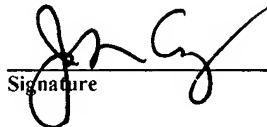
☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.



Signature

Date: February 21, 2006

John L. Conway

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	18	—	20	= 0 x \$	50.00	= \$	0.00
INDEP.	3	—	3	= 0 x \$	200.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$	0.00	= \$	0.00
				TOTAL ADDIT. FEE		\$	0.00

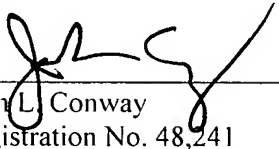
No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: February 21, 2006



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wachtmann

Atty. Docket: 2550/185

Serial No.: 10/670,673

Art Unit: 2814

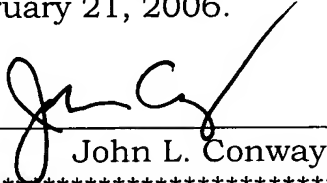
Filing Date: September 25, 2003

Invention: METHOD OF FORMING A
SURFACE MICROMACHINED
MEMS DEVICE

Examiner: Pizarro Crespo, Marcos D

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 21, 2006.



John L. Conway

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE D

Dear Sir:

In response to the Office Action mailed on November 28, 2005, Applicant responds as follows: